

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES****FILED**

2008 MAY -2 PM 4:26 This space for  
Clerk's Office File Stamp

TO: ☐ U. S. DISTRICT JUDGE / ☒ U. S. MAGISTRATE JUDGE CLARK'S DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
 FROM: R. Mullin, Deputy Clerk RECEIVED DATE: 4/30/2008  
 CASE NO.: 07cv2315 J (JMA) DOCUMENT FILED BY: BY Petitioner DEPUTY  
 CASE TITLE: Pressly v. Haws  
 DOCUMENT ENTITLED: Stay and Abeyance for Leave to Amend

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
<input checked="" type="checkbox"/> 5.1	<del>Missing time and date on motion and/or supporting documentation</del>
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	<b>Document not filed electronically. Notice of Noncompliance already issued.</b>
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/>	<b><u>OTHER: Not in pleading format.</u></b>

Other: NO Proof of Service on Respondent's  
 Counsel, Stacy A Tyler, Deputy Attorney General  
 Date forwarded: 4/30/2008

**ORDER OF THE JUDGE / MAGISTRATE JUDGE****IT IS HEREBY ORDERED:**

- ☐ The document is to be filed nunc pro tunc to date received.
- ☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.
- Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: JMA

Dated: 5/1/2008  
 cc: All Parties

By: HAAH

CSP-LAC

Facility A1-223

P.O. Box 8457

Lancaster, CA 93539

**REJECTED**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

Stuart Scott Pressly

Petitioner

Civil No. 07-2315 J(JMA)

Stay and Abeyance

For Leave to Amend

F.W Haws (Warden)

Respondent

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Petitioner Respectfully applies to this court for motion for leave to files petitioner first amended petition after a responsive pleading FRCP 15(a) Request to stay current petition and hold current claim in Abeyance with leave to amend in 30 days after exhaustion. Felix V Mayle, 379 F3d 612.

Move for leave to stay and abey petition due to timely filed State Court Writ, Which has tolled the AEDPA time line.

Issues 1 and 2 relate back to petitioners current filing date because the claims arose out of the petition. F.R.C.P. 15 (c) (2).

Petitioner respectfully requests that the current issues before this court be stayed and abeyed on the grounds that petitioner